

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|---------------------------------------|---|--------------------|
| WARREN MCALILEY | : | |
| Petitioner, | : | |
| | : | |
| v. | : | NO. 13-4781 |
| | : | |
| VINCENT MOONEY, <u>et al.</u>, | : | |
| | : | |
| Respondents. | : | |

ORDER

AND NOW, this 11th day of May, 2015, upon careful and independent consideration of the petition for a writ of habeas corpus, the response thereto, available state court records, and after review of the Report and Recommendation of United States Magistrate Judge Richard A. Lloret, to which no objections have been filed, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The petition for a writ of habeas corpus is **DISMISSED**;
3. There is no probable cause to issue a certificate of appealability; and
4. The Clerk of Court shall mark this case **CLOSED** for statistical purposes.

BY THE COURT:

/s/ **Mitchell S. Goldberg**

MITCHELL S. GOLDBERG, J.